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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yamanouchi et al.

Application No. 09/780,402

Group Art Unit: 1714

Examiner: Callie E. Shosho

Filed: February 12, 2001

For: COLORING COMPOSITION, INK FOR INK JET, AND INK JET RECORDING

METHOD

DECLARATION UNDER 37 C.F.R. §1.132

Honorable Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

I, Takahiro Ishizuka, do declare and state as follows:

I graduated from the graduate school of Saitama University, Faculty of Engineering, Department of Applied Chemistry with a Master's Degree in Engineering in March 1990;

I joined Fuji Photo Film Co., Ltd. (hereinafter "Fuji") in May 1991 and have been working there since;

I was involved in the development of materials for image recording from May 1991 to October 1997 at Fuji's Fujinomiya laboratory;

I was involved in the development of materials for silver halide photographic light-sensitive materials from October 1997 to May 1999 at Fuji's Ashigara laboratory;

from June 1999 to the present, I have been involved in the development of materials for ink-jet polymers;

I am a co-inventor of the subject matter disclosed and claimed in the above-identified application; and

I am familiar with the Office Action of August 14, 2003, and understand the Examiner's rejections therein.

The following additional comparative experiment was carried out under my supervision in order to make the advantages of the subject matter more clear.

EXPERIMENT

Preparation of Ink

Production Example 1 of the present invention was repeated, except that (i) in place of the polymer (P-5), a polymer produced in accordance with the procedures described in Preparation Example 2 of *Tsutsumi et al* (U.S. Patent No. 6,031,091) was used; and (ii) in place of the oil-soluble dye (I-11), Solvent Black 3 which is the same as Oil Black 860 described in Preparation Example 2 of *Tsutsumi et al* was used, to thereby prepare a coloring composition which comprised coloring particulates containing the polymer and the oil-soluble dye dispersed in a dispersion medium. Then, in a similar manner to Example 1 of the present invention, an ink was prepared (an ink of Comparative Experiment).

Evaluation of Ink

As set forth on page 81, lines 5 - 8 of the present specification, the ink of Example 1 of the present invention and the ink of Comparative Experiment were each left at 25°C for 1 week and then filtered through a 0.2 μ m filter so as to evaluate the inks for stability with time. The degree of coloration of the filter was visually evaluated in the following 3 ranks: A (no or less coloration), B (slight coloration) and C (significant coloration).

RESULTS

The obtained results are summarized as follows.

The ink of Example 1 of the present invention had a rank A (no or less coloration). Thus, the ink of the present invention was revealed to exhibit good stability with time. In contrast, the ink of Comparative Experiment had a rank C (significant coloration), and hence, the ink of Comparative Experiment was found insufficient as an ink.

CONCLUSION

As is apparent from the foregoing, the ink for ink jet of the present invention exhibits an unexpected and superior effect to the ink produced by the procedures described in *Tsutsumi et al* (U.S. Patent No. 6,031,091).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: October 28, 2003

Takahiro Ishizuka

Takahiro ISHIZUKA